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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,780	06/30/2000	Kia Silverbrook	MJ29US	2324
24011	7590	08/23/2005	EXAMINER BRINICH, STEPHEN M	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			ART UNIT 2624	PAPER NUMBER

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,780

Applicant(s)

SILVERBROOK, KIA

Examiner

Stephen M. Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 and 18 is/are rejected.
7) ☒ Claim(s) 17 and 19 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/18/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-10, 12, 14-15, 16, & 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kent.

Re claims 1, 7, 16, & 18, Kent discloses (Figure 3; column 3, line 51 - column 4, line 52) a digital printing device in which the dot size printed at the location corresponding to a particular laser in laser array 32 is adjusted in accordance with the identification of a failure to print a correct output intensity at that location. In the case where two adjacent locations corresponding to a particular laser in laser array 32 require such adjustment, this will inherently result in an adjustment at a location adjacent to a location identified as having an incorrect output intensity.

Re claims 1, 4, & 7-9, the adjustment of dots at each location in a dot array inherently includes adjustment of those dots that are located adjacent to or near to any given location, dots that are longitudinal or transverse from any given location, or dots that are located adjacent to dots produced by a failed device.

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Re claims 2-3, & 10, the dot size is adjusted to correspond to the size indicated by image information (column 4, lines 27-28). This result inherently requires that any dots that were undersized prior to adjustment are increased, and that any dots that were oversized prior to adjustment are decreased.

Re claim 12, the printer dots are generated by lasers, and the dot size is regulated by adjusting the amount of laser light emission.

Re claims 5-6 & 14-15, Kent does not distinguish between the treatment of dots that are or are not large enough to overlap neighboring dots. Dots are adjusted in the above-described manner in each of these two cases.

Claim Rejections - 35 USC § 103

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Applicant's admitted Prior Art.

Re claim 11, Kent describes the use of a laser printer rather than an inkjet printer to produce print dots. The use of an inkjet printer to produce print dots in a manner analogous to the use of laser printers is well known in the art as described by Applicant (page 1, lines 4). The use of the Kent arrangement with an inkjet printer substituted for the analogous laser printer in order to similarly correct dot sizes in the former

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would be an expedient obvious to one of ordinary skill in the art.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Kato et al.

Kent does not describe the target to which the laser printer laser elements are applied. The use of a photoconductive imaging drum as such a target in this context is known in the art as disclosed for example by Kato (Figure 1; column 3, line 2). The use of such a photoconductive imaging drum in Kent in order to execute an analogous process of converting the laser outputs to corresponding printed dots would be an expedient obvious to one of ordinary skill in the art.

Allowable Subject Matter

5. Claims 17 & 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The art of record does not teach or suggest adjustment of dot size at a location adjacent to a defective location and specifically not adjusting dot size at the defective location.

Response to Arguments

6. Applicant's arguments filed 8/11/04 have been fully considered but they are not persuasive.

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Re claims 1-15, Applicant argues (8/11/04 Remarks: page 5, lines 7-38) that Kent does not suggest adjusting the spot size of a laser to compensate for failure to correctly print dots at a location adjacent to a given location. While Applicant notes that in certain circumstances, a location (corresponding to a given laser in the Kent array) and an adjacent location (corresponding to an adjacent given laser in the Kent array) may both be adjusted, he argues that the latter is not done to compensate for the former.

However, such a link between these two locations does not appear to be required by the language of the currently rejected claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sarmast et al discloses a further example of print dot size adjustment.

8. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center

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2600 Customer Service center at 571-272-2600 or to the USPTO
Contact Center at 800-786-9199 or 703-308-4357.

The examiner can normally be reached on weekdays 7:00-4:30,
alternate Fridays off.

If attempts to contact the examiner and the Customer
Service Center are unsuccessful, supervisor David Moore can be
contacted at 571-272-7437.

Faxes pertaining to this application should be directed to
the Tech Center 2600 official fax number, which is 703-872-9306
(571-273-8300 as of July 15, 2005).

Hand-carried correspondence may be delivered to the
Customer Service Window, located at the Randolph Building, 401
Dulany Street, Alexandria, VA 22314.


Stephen M Brinich
Examiner
Art Unit 2624

smb
July 12, 2005